

NO. : 7:07-CV-176-H

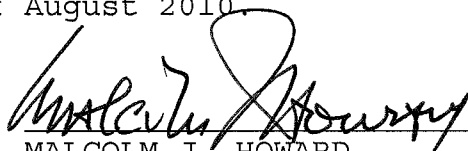
Defendants.

Case 7:07-cv-00176-H Document 286 Filed 08/26/10 Page 1 of 2

Fed. R. Civ. P. 72(b); see also Local Civil Rule 72.4(b)(1), E.D.N.C. No objection to the M&R having been filed, the parties have waived their right to de novo review of any issue covered in the M&R. Nevertheless, this court has conducted a full and careful review of the M&R and other documents of record and, having done so, hereby finds that the recommendation of the magistrate judge is, in all respects, in accordance with the law and should be approved.

Accordingly, the court ADOPTS the recommendation of the magistrate judge as its own. Defendant's unopposed motion to dismiss, or in the alternative, for summary judgment dismissing the claims of opt-in plaintiffs who failed to disclose this action in their bankruptcy proceedings [DE #210] is GRANTED and the action is DISMISSED as to those individuals specified in the M&R.

This 25th day of August 2010.


MALCOLM J. HOWARD
Senior United States District Judge

At Greenville, NC
#31